

TABLE 8. BENEFITS FOR PERMANENT PARTIAL DISABILITY PROVIDED BY WORKERS' COMPENSATION STATUTES
IN THE U.S.

SAWW - State's Average Weekly Wage

Jurisdiction	Percentage of Worker's Wage	Payments Per Week		Percentage of SAWW	Maximum Period For Unscheduled Injury	Notes
		Minimum	Maximum			
Alabama.....	66 2/3	\$140 - 27 1/2% of SAWW, or worker's average wage if less, for scheduled injuries.	\$220.00*	100	300 weeks	*(By legislation, maximum weekly compensation is capped at \$220.) Also see <u>1</u> /.
Alaska.....	-----	\$110, or \$154 if employee shows proof of wages, or worker's spendable weekly wage if less.	-----	N/A	-----	See <u>2</u> /.
Arizona.....	55	Payable, but not statutorily pre- scribed.	\$373.94	N/A	Duration of disability	

1/Alabama: Section 25-5-57--In case a scheduled permanent partial disability follows or accompanies a period of temporary total disability resulting from the same injury, the period of TTD shall not be deducted from the maximum number of weeks set for each partial disability; in case of non-scheduled PPD, such periods shall be deducted.

2/Alaska: Permanent partial disability benefits are determined by multiplying \$135,000 times the employee's percentage of permanent partial impairment of the whole person and is payable in a single lump sum, unless the employee is enrolled in a vocational rehabilitation program. Compensation may not be discounted for any present value considerations.

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Arkansas....	66 2/3	\$20	\$296.00	N/A	450 weeks	If the claimant's TTD rate for injury is \$25.35 or greater, maximum PPD rate will be 75% of claimant's total disability rate. Benefits subject to a 50% pension offset after age 65.
California..	66 2/3	\$70	\$230.00	N/A	619.25 weeks (applicable to a worker with a 99.5% disability)	3 to 8 weeks of WC payable for each 1% of permanent disability, depending on severity. hereafter, if disability is at least 70%, but not more than 99.75%, a life pension of 1.5% of the employee's weekly earnings will be paid for each 1% of disability over 60% subject to a maximum weekly rate of \$116.27.

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Colorado....	-----	\$176.00 - scheduled injury.	\$307.27	91	208 weeks	WC benefits subject to Social Security benefit offsets and to reduction by benefits under an employer pension or disability plan. Total maximum amount payable is \$120,000. See <u>3</u> /; <u>4</u> /.
Connecticut.	75% of worker's spendable earnings	\$50.00	\$637.00	100 (of aver- age pro- duction wage)	520 weeks	WC benefits subject to Social Security benefit offset.
Delaware....	66 2/3	\$144.89 - 22 2/9% of SAWW, or actual wage if less, for scheduled injury.	\$434.68	66 2/3	300 weeks	
District of Columbia..	66 2/3	-----	\$894.47	100	Duration of disability	

3/**Colorado:** Section 8-42-104(2)(c)--When benefits are awarded for PPD, the award of benefits shall exclude any for a previous impairment to the same body part.

4/Effective July 1, 2000, and each succeeding July 1 thereafter, the compensation rate for PPD shall be modified for claims arising on and after such date by the same percentage increase or decrease as the SAWW.

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Florida.....	<u>5</u> /	See <u>5</u> /	\$541.00	100	364 weeks	WC benefits subject to Social Security benefit offsets.
Georgia.....	66 2/3	\$35 or average wage if less.	\$350.00	N/A	Based on statutory schedule.	
Hawaii.....	66 2/3	\$132.25 - 25% of SAWW, or worker's average wage if less, but not lower than \$38.	\$529.00	100	In proportion to scheduled injuries; or a % of loss of the whole man.	Maximum WC for % of disability based on the whole man is the product of 312 times the effective maximum weekly benefit rate.

5/Florida: Section 440.15(3)(b)--Wage loss benefits are based on actual wages lost and are not subject to a minimum. Wage loss is equal to 80% of the difference between 80% of the employee's average monthly wage and the wage employee is able to earn after reaching maximum medical improvement, provided the monthly wage loss benefits shall not exceed 66 2/3% of the employee's average monthly wage at the time of injury.

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		Minimum	Maximum			
Idaho.....	67	-----	\$259.05	55	In propor- tion to losses of the whole man based on a maximum of 500 weeks.	
Illinois....	60	\$80.90 to \$96.90 or worker's average wage if less, according to number of dependents.	\$485.65	N/A	500 weeks (worker able to pursue usual work duties); Duration of disability (worker unable to pursue usual work duties)	Maximum WC for ampu- tation of a member or enucleation of an eye is 133 1/3% of SAWW (\$899.81).
Indiana.....	66 2/3	Payable but not statutorily prescribed.	\$488.00	N/A		The amount of compensation for PPD is determined by multiplying a percentage of the worker's wage by the degree of perma- nent impairment.

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Iowa.....	80% of worker's spendable earnings	\$174.30 - 35% of SAWW, or actual wage if less.	\$916.00	184	In proportion to scheduled injuries or in proportion to losses of the whole man based on a maximum of 500 weeks.	
Kansas.....	66 2/3	\$25	\$383.00	75	415 weeks	Total amount payable is \$100,000 for a work disability and \$50,000 for a functional dis- ability. WC bene- fits subject to UI and Social Security benefit offsets.
Kentucky....	66 2/3	Payable, but not statutorily prescribed.	\$381.77	75	425 weeks	(Benefits represent unscheduled injuries only.) WC benefits terminate when em- ployee qualifies for Social Security benefits.

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		Minimum	Maximum			
Louisiana...	66 2/3	-----	\$384.00	75	520 weeks	Additional benefits of \$30,000 for cata- strophic injuries, payable 1 year after injury.
Maine.....	80% of worker's after tax earnings	-----	\$441.10	90	312 weeks; however, dura- tion of disa- bility if im- pairment is in excess of 15% to the body.	
Maryland....	66 2/3	\$50 or actual wage if less.	\$474.00	75	Duration of disability	
			(serious cases-250 weeks or more) \$211.00 (non-serious cases-75 to 249 weeks) \$114 (minor non-serious cases-1 to 74 weeks)	33 1/3		

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		Minimum	Maximum			
Massachusetts	(60% of the difference between employee's AWW before injury and AWW after injury)	Payable, but not statutorily prescribed.	\$562.27	75	260 weeks	Total number of weeks may be extended to 520 if it is found that the employee has suffered a permanent loss of 75% or more of bodily function or sense. Bulk sums allowed for scheduled losses depending on extent of loss. Additional \$6 will be added per dependent, if weekly benefits are below \$150. WC benefits subject to reduction by UI and Social Security benefits.
Michigan....	80% of worker's spendable earnings	\$169.56 - 25% of SAWW for scheduled injury only.	\$611.00	90	Duration of disability	WC benefits subject to reduction by UI.

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		Minimum	Maximum			
Minnesota...	66 2/3	Payable, but not statutorily prescribed.	\$615.00	N/A	-----	The percentage of disability to the body is set out in permanent partial disability schedule rules. The amount of compensation de- pends on whether the employee is offered/ finds suitable em- ployment by time limit. If so, smaller impairment compensation (based on percentage) is payable. If not, larger economic re- covery compensation (based on percentage and wage rate) is payable.
Mississippi.	66 2/3	-----	\$303.35	66 2/3	450 weeks	Total amount payable is \$136,507.

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		Minimum	Maximum			
Missouri....	66 2/3	\$40	\$303.01	55	400 weeks	
Montana.....	66 2/3 <u>6</u> /	Payable but not statutorily prescribed.	\$205.50	50	350 weeks	WC benefits subject to Social Security benefit offsets.
Nebraska....	66 2/3	\$49 or actual wage if less for scheduled injuries.	\$487.00	100	300 weeks	If partial disa- bility begins after a period of total disability, the period of total disability will be deducted from the 300-week limit for PPD.

6/Montana: Section 39-71-703--Wage loss benefits are determined by multiplying the percentage of impairment by 350 weeks not to exceed a permanent partial disability rating of 100 percent.

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		Minimum	Maximum			
Nevada.....	-----	Payable, but not statutorily prescribed.	\$562.24	100	Duration of disability	The % of disability is determined by the Commission using AMA guides. Each 1% of impairment of the whole man is compen- sated by a monthly payment of 0.6% of the claimant's average monthly wage for 5 years or until the 70th birthday of the claimant, which- ever is later.
New Hampshire.	60	\$177.60 - 30% of SAWW not to exceed employee's after tax earnings.	\$888.00	150	262 weeks	
New Jersey..	70	\$35	\$568.00	75	600 weeks	Benefits set in ac- cordance with "wage and compensation schedule".

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		Minimum	Maximum			
New Mexico..	66 2/3	\$36 or actual wage if less for scheduled injuries.	\$480.47	100	500 weeks if disability is less than 80%; 700 weeks if greater than 80%; 100 weeks (primary and secondary mental impairment)	If partial disability begins after a period of total disability, the period of total disability shall be deducted from the maximum period.
New York....	66 2/3	\$40 or actual wage if less.	\$400.00	N/A	Duration of disability	
North Carolina..	66 2/3	\$30 for scheduled injuries.	\$588.00	110	300 weeks	
North Dakota....	-----	\$146	\$480.00	100	500 weeks	Compensation for TTD and PPD may be paid concurrently.
Ohio.....	-----	-----	\$589.00	100	-----	See <u>7</u> /.
Oklahoma....	70	\$30 or actual wage if less.	\$237.00	50	500 weeks	

7/**Ohio:** For unscheduled injuries (based on a percentage of PPD), weekly benefits are limited to 1/3 of the State average weekly wage, for a portion of 200 weeks.

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Oregon.....	66 2/3	\$25	\$601.21	100	In proportion to scheduled injuries.	Scheduled PPD is compensated at \$511.29 per degree of disability; non-scheduled PPD on a 3-tier, additive, rate: initial 64 degrees at \$153.00 times number of degrees; next 64 to 160 degrees at \$267.44 times number of degrees; above 160 degrees at \$709.79 times number of degrees. Also see <u>8</u> /
Pennsylvania	66 2/3	-----	\$611.00	100	500 weeks	WC for nonscheduled awards is determined at 66 2/3% of the difference between the wages of the injured employee and the earning power of the employee, thereafter up to the SAWW. Also see <u>9</u> /.

8/**Oregon**: Exception--if the total unscheduled degrees are more than 64 but less than or equal to 160, then the the first 64 degrees are at \$267.44 per degree, and the next 64 to 160 are at \$153.00 per degree.

9/**Pennsylvania**: WC benefits subject to Social Security benefit offsets, and by those under an employer-funded pension plan as well as for severance pay.

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Puerto Rico.	66 2/3	\$65	\$150.00 (payable per month)	N/A	In proportion to scheduled injuries.	Total maximum pay- able is \$12,000.
Rhode Island....	75% of worker's spendable earnings	-----	\$573.00 - nonsche- duled injury; \$90 - scheduled injury	100	312 weeks	If employee cannot obtain suitable work and employer cannot provide such work or show it is available elsewhere, benefits are paid as for total incapacity.
South Carolina..	66 2/3	\$75 or average wage if less.	\$507.34	100	340 weeks	
South Dakota....	66 2/3 (scheduled) 50 (non- scheduled)	\$215 or worker's average wage if less.	\$430.00	100	Duration of disability	
Tennessee...	66 2/3	\$81.15	\$541.00	N/A	400 weeks	Total amount payable is \$216,400.

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Texas.....	70% of worker's earnings over \$8.50 per hour; 75% for all others	\$80 - 15% of SAWW.	\$372.00	70	401 weeks	
Utah.....	66 2/3	\$45 to \$70 according to number of dependents but not more than the em- ployee's AWW.	\$339.00	66 2/3	312 weeks	In case partial dis- ability begins after a period of total disability, the period of total dis- ability shall be deducted from the maximum.
Vermont.....	66 2/3	\$253 - 50% of SAWW, or worker's average wage if less.	\$760.00	150	330 weeks	
Virginia....	66 2/3	\$141.75 - 25% of SAWW, or actual wage if less for scheduled injuries.	\$567.00	100	500 weeks	Period of payment may be extended if employee is still disabled within 1 year of final payment

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Virgin Islands...	66 2/3	\$60 or actual wages if less.	\$311.00	66 2/3	200 weeks	
Washington..	-----	Payable, but not statutorily prescribed.	-----	N/A	-----	Total maximum amount payable for non- scheduled injury is \$137,266. <u>10</u> /
West Virginia..	70	\$144.20 - 33 1/3% of SAWW.**	\$318.11	66 2/3	336 weeks	If disability is 85% to 100%, benefits Are payable for life. **Claimants receiving benefits prior to 7/1/94 shall not have their benefits reduced based upon the re- quirement that bene- fits shall not exceed applicable Federal minimum hourly wage.

10/Washington: Payments based on permanent physical impairment; in event award exceeds three times the State's average monthly wage, employee receives first payment equal to three times the State's average monthly wage with balance in monthly payments per temporary disability schedule plus eight percent interest per annum on unpaid balance.

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Wisconsin...	66 2/3	\$30 or actual wage if less.	\$184.00	N/A	1000 weeks	WC benefits subject to Social Security benefit offsets.
Wyoming.....	66 2/3	-----	\$310.00	66 2/3% of <u>monthly</u> wage	In propor- tion to scheduled injuries	
United States*: FECA.....	66 2/3 - 75**	\$224.91 or actual wage if less.	\$1,455.25	N/A	Duration of disability	Maximum weekly bene- fit is based on the pay of a specific grade level in the Federal Civil Service.**Benefits calculated at 75 percent where there are one or more dependents.
LHWCA.....	66 2/3	\$225.32 - 50% of NAWW**, or actual wage if less.	\$901.28	200% of NAWW	Duration of disability	**National Average Weekly Wage is \$450.64.

*Federal Employees' Compensation Act;
Longshore and Harbor Workers' Compensation Act.